Fw

UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/054,764	01/18/2002	Kenneth Robert Stroud	8285/481	5846

757   7590   06/27/2005

BRINKS HOFER GILSON & LIONE
P.O. BOX 10395
CHICAGO, IL 60610

EXAMINER
AGDEPPA, HECTOR A

ART UNIT	PAPER NUMBER
2642	

DATE MAILED: 06/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	10/054,764	STROUD ET AL.
	Examiner	Art Unit
	Hector A. Agdeppa	2642

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>18 January 2002 and 29 April 2002</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-34</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-34</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on <u>1/18/02</u> is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>4/29/02</u>.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

Claim Objections

1.   Claim 1 is objected to because of the following informalities: Generally,

acronyms must be defined when they are first used, i.e., NPA, which stands for

Numbering Plan Area. Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of

the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein

were made absent any evidence to the contrary. Applicant is advised of the obligation

under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was

not commonly owned at the time a later invention was made in order for the examiner to

consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g)

prior art under 35 U.S.C. 103(a).

2.   Claims 1 – 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over

applicant's admitted prior art, i.e., US 6,289,095 (Buttitta et al.), in view of US 6,359,975

(Cai).

As to claims 1 and 2, Buttitta et al. teaches and method and system for NPA split

processing wherein and old and new NPA are referenced in first (old) and second (new)

call processing records (CPR). Buttitta et al. also teaches that a service control point

(SCP) can receive a query or request comprising an old NPA, and determining if the

first CPR identifies an NPA-sensitive service. (Abstract, Col. 2, lines 8 – 22, Col. 3, line

7 – Col. 4, line 36, Col. 5, line 48 – Col. 6, line 64, Col. 8, lines 14 – 31, Col. 9, line 49 –

Col. 10, line 16, Col. 12, lines 25 - 59 of Buttitta et al.)

What Buttitta et al. does not teach is only using the second CPR instead of the

first CPR if an NPA-sensitive service is identified. Instead, Buttitta et al. teaches always

replacing the old NPA with the new NPA in pertinent parameters of an incoming query

or request message before releasing the message to the appropriate service package.

(Specification for the present application, P. 1, lines 20 – 23, Col. 6, lines 51 – 64, Coll.

12, line 25 – Col. 13, line 25, Col. 15, lines 24 – 62 of Buttitta et al.)

However, Cai teaches a method and system of avoiding redundant billing in an

advanced intelligent network (AIN) by only using a pseudo-calling line identifier (CLI) if

the AIN is supposed to handle billing for the call, to avoid a conflict with another system

component. Such happens at an SCP of Cai. Moreover, if no potential conflict is

detected, the original CLI is used. The original CLI and pseudo-CLI of Cai read on the

claimed first and second records, respectively, which are associated with the old and

new NPAs, respectively. (Abstract, Col. 2, line 49 – Col. 2, line 6, Col. 4, line 17 – Col. 5, line 47 of Cai)

It would have been obvious for one of ordinary skill in the art at the time the invention was made to have combined the teachings of Buttitta et al. and Cai inasmuch as both Buttitta et al. and Cai teach systems which avoid confusion or conflict in an AIN system. Moreover, the motivation for acting to avoid confusion or conflict only when necessary, is notoriously old and well known, i.e., increasing speed of operation, reducing wasteful operations, etc. Buttitta et al., even though it relates to a different aspect of the system, states that a motivation to avoid excessive processing is desirable, and of course, only updating an old NPA or using a second CPR when necessary is avoiding extraneous processing. (Col. 12, lines 25 – 43 of Buttitta et al.)

As to claim 3, the above-referenced portions of Buttitta et al. and Cai recite the motivation for their respective inventions is to avoid confusion or improper service execution.

As to claim 4, see applicant's admitted art statement wherein applicant admits Buttitta et al. teaches performing the determination and processing steps in the application level of the SCP. (P. 1, lines 20 – 23 of the specification for the present invention. See also Col. 9, line 48 – Col. 10, line 16, Col. 15, lines 24 – 43 of Buttitta et al.)

As to claims 5 and 6, see the rejection of claim 1 and note that such is inherent or at least would be obvious in any AIN service. Essentially, assigning a call variable to a telephone number merely gives a certain telephone number a representation in the

system or database, etc. Moreover, see again the above-referenced portions of Buttitta et al. that discuss changing the old NPA to a new NPA.

As to claim 7, such is inherently done when searching or accessing either the first and/or second call records.

As to claims 8 and 9, see the rejection of claims 3 and 7.

As to claims 10 – 12, see the rejection of claim 1 and note that Buttitta et al. teaches the use of tables as in the above-referenced portions.

As to claim 13, see the rejection of claim 4. Note also, that Buttitta et al. teaches, as is notoriously old and well known in the art that functionality can be moved around from element to element in AINs and depending on design choices and/or preferences, software and hardware can be used at both system and application levels. Moreover, Buttitta et al. teaches that the first management part handles receiving instructions and identifying services, databases, etc. The second part, effected on for example and SCP or other AIN element / node, performs the actual changing, accessing, storing, of records, databases, etc. (Col. 9, line 23 – Col. 10, line 16 of Buttitta et al.)

As to claim 14, 21, and 29, see the rejection of claims 1 and 5.

As to claims 15, 16, 23, 24, 30, and 31, see the rejection of claims 8 and 9.

As to claims 17 – 19, 25 – 27, 32, and 33, see the rejection of claims 10 – 12.

As to claims 20, 28, and 34, see the rejection of claim 13.

As to claim 22, see the rejection of claim 7.

Conclusion

3.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Hector A. Agdeppa whose telephone number is 571-

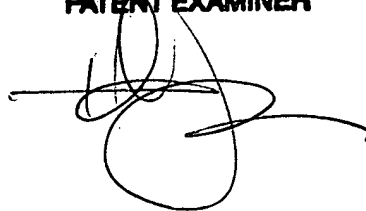272-7480. The examiner can normally be reached on Mon thru Fri 9:30am - 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Ahmad F. Matar can be reached on 571-272-7488. The fax phone number

for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

Hector A. Agdeppa
Examiner
Art Unit 2642

H.A.A.
June 20, 2005